

Washington State Proposed DNA Legislation

Number	Year	Title	Sponsor	Summary
SB 5298	1998		Senator Franklin	This bill protects genetic information from health insurance discrimination, and defines genetic information as information about genes, gene products, or inherited characteristics. (see SB 6663, 1998)
SB 6663	1998		Senator Franklin	This bill prohibits insurer discrimination in coverage or benefits on the basis of genetic information, and employer discrimination on the basis of genetic information. Additionally, it protects the right of an individual to refuse to disclose genetic information, and it creates a cause of action for violation of the provision. Genetic information is defined as information about inherited characteristics.
HB 1757	1999	DNA Data Base--Violent and Sex Offenders Effective Date: 7/25/99	Representative Miloscia	Enacted, 1999. Provides that every juvenile or adult convicted of a violent or sexual felony shall have blood drawn for purposes of DNA identification analysis. A purpose of the legislation is to create an expanded DNA data bank for use in law enforcement. The act amends RCW 43.43.754, and creates a new section.
HCR 4412	1999	DNA Technology	Representative Miloscia	Adopted, 1999. The resolution establishes a joint select committee on DNA identification to review the following: DNA use, DNA identification, DNA testing, DNA data banking, DNA technology, DNA research, and DNA privacy issues. After reporting its findings to the legislature, the committee expires July 1, 2000.

SB 5111	1999	Health Insurance Discrimination	Senator Franklin	This version of the bill prohibits health insurance discrimination on the basis of genetic information. It declares that a health carrier may not deny or cancel health plan coverage or vary the premiums, terms, or conditions for coverage, for an individual or a family member of an individual either 1) on the basis of genetic information, or 2) because the individual or family member of an individual has requested or received genetic services. It additionally prevents a health carrier from requesting disclosure of individual's genetic information, and it also prevents the health carrier from disclosing any genetic information about an individual without his consent.
ESSB 5111	1999	Health Insurance Discrimination		This bill is very similar to SB 5111 described above. It adds three limited situations in which a health carrier may disclose a patient's genetic information: research, internal use for family genetic counseling, and newborn screening authorized by 70.83 RCW.
HB 2491	2000	DNA--Postconviction Testing Effective Date: 6/8/00	Representative Schindler	Enacted, 2000. Allows persons sentenced to death or life imprisonment to request deoxyribonucleic acid testing of evidence in their case. This act relating to DNA testing of evidence, amends RCW 10.37.050, adds a new section to RCW 10.73, and creates new sections.
HB 2732	2000	DNA Identification System	Representative Miloscia	This bill provides for collection of blood samples for DNA identification from convicted felons. It finds that the DNA identification system is increasingly useful in the accurate investigation and prosecution of criminal offenses, and determines that it is in the public interest to expand the DNA identification system to include all convicted felons.
HB 2861	2000	Health Care Information Definition	Representative O'Brien	This bill modifies the definition of "health care information" to explicitly include "a patient's deoxyribonucleic acid and identified sequence of chemical base pairs".

SB 6203	2000	Institutional Review Boards	Senator Fairley	This bill provides requirements for the composition of institutional review boards, and relates to health facility oversight.
SB 6284	2000	Protection of DNA Information	Senator Hargrove	This bill, as originally introduced, protects DNA identification information, specifically data collected during criminal investigations of suspects who were not convicted, or juvenile victims or offenders. As substituted in Jan., 2000 this bill sets up a DNA commission to evaluate issues relating to use and protection of DNA information.
SB 6326	2000	Insurance Transactions	Senator Franklin	This bill prevents a person's DNA from being screened for any insurance transaction.
SB 6327	2000	Genetic Discrimination	Senator Franklin	This bill prevents genetic discrimination using "information obtained from interpreting the sequence of chemical base pairs in a person's deoxyribonucleic acid". It amends RCW 49.60.
SB 6340	2000	Civil Action	Senator Franklin	This bill creates a civil action for improperly obtaining a persons DNA.
SB 6341	2000	Informed Consent	Senator Franklin	This provision requires informed consent before obtaining a person's DNA. It specifies requirements for informed consent, and it lists circumstances in which informed consent is not needed.
SB 6395	2000	DNA Technology Issues Commission	Senator Franklin	This bill establishes a commission to study issues involving deoxyribonucleic acid technology.
ESSB 6395	2000	DNA Technology Issues Commission	Senator Franklin	In addition to establishing a commision, this bill prevents screening of a person's DNA in an insurance transaction, it prevents discrimination regarding DNA screening in employment, it requires informed consent before isolating DNA for identification purposes, and it extends the commission for five years.

SB 5207	2001	Individually Identifiable DNA Testing	Senator Hargrove	This bill relates to individually identifiable DNA testing. It redefines health care information to include "genetic test information from a person's isolated DNA and a person's DNA when obtained at the request of a health care provider or health care facility." The bill also sets up a commission to report by July 1, 2002 on issues including use and misuse of DNA and genetic information, genetic privacy, and genetic discrimination.
SB 5282	2001	DNA Use in Insurance Transactions	Senator Franklin	This bill prevents insurers from "screening" an individual's DNA. In this regard, it adds a new section to chapter 48.01 RCW.
SB 5283	2001	Discriminatory Use of DNA in Employment Matters	Senator Franklin	This bill expands on the general right to be free from discrimination in employment on the basis of "race, ...sex...[or] disability", by adding a specific right to prevent employers from screening a person's DNA. It amends RCW 49.60.030.
SB 5284	2001	DNA Informed Consent	Senator Franklin	This bill requires informed consent prior to isolating DNA in a form that identifies an individual for the purposes of genetic testing. Informed consent must include specific elements, and the bill lists specific circumstances in which informed consent under this section is not required.
SB 5665	2001	Genetic Information	Senator Prentice	This bill declares that each person has a fundamental privacy interest in their genetic information. It also protects an individual's right to choose or refuse to release their genetic information.

Full text, history, and digests of the House and Senate Bills summarized above may be found at the Washington State Legislature's website <<<http://www.leg.wa.gov>>>

Specific bills are indexed at the site by date and source:

e.g. SB 5298 is at: http://www.leg.wa.gov/pub/billinfo/1997-98/senate/5275-5299/5298_012297.txt